

**REMARKS**

Claims 1-15 are pending in the application. By this Amendment, Applicant adds new claim 15. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Warthen *et al.* (U.S. Patent No. 5,979,278; hereinafter “Warthen”). Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Brockelhurst (U.S. Patent No. 5,018,462; hereinafter “Brocklehurst”). Claims 1, 2, 3, 13, and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bellegante (U.S. Patent No. 5,261,164; hereinafter “Bellegante”). Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Schneider *et al.* (U.S. Patent No. 4,793,033; hereinafter “Schneider”). Claims 3 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Warthen. Claims 7-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Warthen. Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider. Claims 7-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneider. Applicant submits the following arguments in traversal of the claim rejections.

**Rejection of Claims 1, 4 and 5 under § 102(a) by Warthen**

Applicant adds the subject matter of claim 2 to claim 1 and cancels claim 2.

Applicant submits that claim 1 is patentable because Warthen fails to disclose or suggest:

wherein the cutting means cuts the napped cloth by moving the cutter so that both  $V_y$ , a component of velocity in a direction wherein a blade of the cutter extends, and  $V_x$ , a

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component of velocity in a direction orthogonal to the direction wherein the blade of the cutter extends *become larger than 0*.

Although Warthen does disclose moving the edge 137 of the cutting blade 136 in more than one direction, i.e., in the vertical direction and in a lateral direction as shown in Figs. 6-9, Warthen fails to disclose having a component of velocity in a direction wherein a blade of the cutter extends, in combination with other elements of the claim.

In Fig. 9, for example, a cross section of the blade 136 is shown. If the plane on which the cross section is shown is called the *i-j* plane, then the blade 136 extends in a direction perpendicular to the *i-j* plane, i.e., out from the paper on which the cross section is drawn, toward the reader. Warthen, however, fails to disclose or suggest any movement of the blade 136 in this direction wherein the blade 136 extends. Therefore, Warthen cannot possibly disclose the components of velocity as claimed.

For at least the above reasons, claim 1 is patentable.

Rejection of Claim 1 under § 102(b) by Brockelhurst

Claim 1 is patentable because Brockelhurst fails to disclose or suggest moving the cutter in the claimed components of velocity.

Rejection of Claims 1, 3, 13, and 14 under § 102(b) by Bellegante

Applicant submits that claim 1 is patentable because Bellegante fails to disclose or suggest the components of velocity as claimed.

Bellegante discloses a swivel axe having a swivel shaft. The swivel axe 10 includes a latch 52 which becomes locked before the striking member 30 impacts an object. Col. 4, lines 41-45. The reference, however, makes no express mention regarding the component of velocity  $V_y$ . In addition, there is nothing in Bellegante which discloses that a blade of the striking member 54 *necessarily* has a velocity in a direction wherein the blade extends. Rather, the striking member 54 can have a zero velocity in the direction wherein the blade extends. In other words, Bellegante does not inherently disclose having a velocity in a direction wherein the blade extends and therefore, claim 1 is patentable.

Claims 3, 13, and 14, which depend from claim 1, are patentable for at least the reasons submitted for claim 1.

Claim 3 is also patentable because Bellegante fails to disclose or suggest the ratio of the component of velocity  $V_x$  to the component of velocity  $V_y$  as claimed.

Rejection of Claim 1 under § 102(b) by Schneider

Applicant submits that claim 1 is patentable because Schneider fails to disclose or suggest a cutting means for cutting the napped cloth. Rather, Schneider discloses an apparatus for cutting carpet pile. The apparatus includes a clipping mechanism 18 which is generally disposed so that its cutting plane is parallel to the plane of the carpet. The clipping mechanism 18 can cut the pile of the carpet because the pile has a relatively tall height. Such a device

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designed for cutting carpet pile, however, cannot cut napped cloth given the differences which exist between carpet pile and napped cloth.

Rejection of Claims 3 and 6 under § 103(a) over Warthen

Rejection of Claims 7-12 under § 103(a) over Warthen

Applicant submits that claims 3 and 6-12, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because it would not have been obvious to modify Warthen in the manner suggested by the Examiner to render claims 3 and 6-12 obvious for the reasons submitted in the Amendment of December 22, 2004.

Rejection of Claim 3 under § 103(a) as being unpatentable over Schneider

Rejection of Claims 7-9 under § 103(a) as being unpatentable over Schneider

Applicant submits that claims 3 and 7-9, which depend from claim 1, are patentable for at least the reasons submitted for claim 1 and because it would not have been obvious to modify Schneider in the manner suggested by the Examiner to render claim 1 obvious. As set forth in the Amendment of December 22, 2004, Schneider is not analogous art, and thus, one skilled in the art would not refer Schneider to render claim 1 obvious.

Applicant submits new claim 15 which is fully supported in the original disclosure is patentable because the references fails to disclose a cutting machine for napped cloth to cut a napped cloth having a single napped surface which is formed by inweaving wefts over a plurality

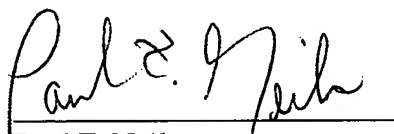
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of warps in a lateral direction approximately orthogonal to the longitudinal direction by raising fabric in areas wherein in the wefts stride over the plurality of warps.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul F. Neils", written over a horizontal line.

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**23373**

CUSTOMER NUMBER

Date: August 25, 2005